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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No MD-15-02641-PHX-DGC

Bryan Campbell, an individual

Civil Action No. 2:16-cv-01637-PHX-DGC

Plaintiff

V

**NOTICE OF FILING AMENDED
COMPLAINT**

C.R. Bard, Inc., a corporation, and Bard Peripheral Vascular, Inc., an Arizona corporation.

Defendants

Pursuant to Local Rule of Civil Procedure 15.1(b), Plaintiff Bryan Campbell respectfully submits his Notice of Filing First Amended Complaint. Attached as Exhibit A is a copy of the amended complaint that indicates in what respect it differs from the

original complaint. The Defendants do not oppose Plaintiff's filing of this Notice or the First Amended Complaint.

RESPECTFULLY SUBMITTED this 13th day of July, 2016.

LOWE LAW GROUP

By /s/ Jonathan Peck

Nathan Buttars

Jonathan Peck

6028 S. Ridgeline Drive, Suite 200

Ogden, UT 84405

Atorneys for Plaintiff(s)

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jonathan Peck

Jonathan Peck

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7 **EXHIBIT A**
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12 Attorneys for Plaintiffs

13 **IN THE UNITED STATES DISTRICT COURT**

14 **FOR THE DISTRICT OF ARIZONA**

15 IN RE BARD IVC FILTERS
16 PRODUCTS LIABILITY LITIGATION

17 No. MD-15-02641-PHX-DGC

18 **FIRST AMENDED MASTER SHORT**
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS

19 Plaintiff(s) named below, for their Complaint against Defendants named below,
20 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

21 Plaintiff(s) further show the Court as follows:

22 1. Plaintiff:

23 Bryan Campbell

24 2. Spousal Plaintiff or other party making loss of consortium claim:

25 N/A

26 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
27 conservator):

28 N/A

1 4. Plaintiff's state(s) [if more than one Plaintiff] of residence at the time of
2 implant:

3 Pennsylvania

4 5. Plaintiff's state(s) [if more than one Plaintiff] of residence at the time of
5 injury:

6 Pennsylvania

7 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

8 Pennsylvania

9 10. District Court and Division in which venue would be proper absent direct
11 filing:

12 Middle District of Pennsylvania

13 14. Defendants (check Defendants against whom Complaint is made):

14 X C.R. Bard Inc.

15 X Bard Peripheral Vascular, Inc.

16 17. Basis of Jurisdiction:

17 X Diversity of Citizenship

18 □ Other: _____

19 20. a. Other allegations of jurisdiction and venue not expressed in Master
21 Complaint:
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10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter
- G2® Vena Cava Filter
- G2® Express Vena Cava Filter
- G2® X Vena Cava Filter
- Eclipse® Vena Cava Filter
- Meridian® Vena Cava Filter
- Denali® Vena Cava Filter
- Other:

11. Date of Implantation as to each product:

June 6, 2013

12. Counts in the Master Complaint brought by Plaintiff(s):

X Count I: Strict Products Liability – Manufacturing Defect

X Count II: Strict Products Liability – Information Defect (Failure to Warn)

X Count III: Strict Products Liability – Design Defect

X Count IV: Negligence Design

X Count V: Negligence Manufacture

Y Count VI: Negligence - Failure to Re-

X. Count VII: Negligence - Failure to Warn

X Count VIII: Negligent Misrepresentation

X Count IX: Negligence *Per Se*

X Count X: Breach of Express Warranty

X Count XI: Breach of Implied Warranty

X Count XII: Fraudulent Misrepresentation

X Count XIII: Fraudulent Concealment

X Count XIV: Violations of Applicable ~~Louisiana~~ ~~Pennsylvania~~ Law

Prohibiting Consumer Fraud and Unfair and Deceptive Trade

Practices

□ Count XV: Loss of Consortium

□ Count XVI: Wrongful Death

□ Count XVII: Survival

X Punitive Damages

□ Other(s): _____ (please state the facts)

supporting this Count in the space immediately below.)

13 Jury Trial demanded for all issues so triable?

X Yes

No

RESPECTFULLY SUBMITTED this 26th 13th day of May July, 2016.

LOWE LAW GROUP

By: /s/ Jonathan Peck

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6.2.2. **Plasticity**

Attorneys for Plaintiffs

Certificate of Service

I hereby certify that on this 13th day of July, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jonathan Peck